IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT APPEAL No.1945 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 10/09/2004 in WVMP No.2737 of 2004 and WPMP No.9417 of 2004 in W.P.No.7223 of 2004 on the file of the High Court.)

Between:

P.R.S.M. National Jr. College, Vijayawada, rep. by its Correspondent, P. Kanaka Durga Prasad.

..... APPELLANT

AND

1 The Commissioner of Intermediate Education, A.P.

Hyderabad.
2 The Board of Intermediate Education, A.P., Hyderabad rep.

by its Secretary.
3 The Regional Joint Director of Intermediate Education,

Rajahmundry.
4 State of A.P., rep. by its Principal Secretary to Govt., Higher

Education Dept., Secretariat, Hyderabad.
5 M. Bhagavath Singh, JL in Zoology, S/o. Suryanarayana,
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.....RESPONDENTS

Counsel for the Appellant : Mr. D.V.Sitaramamurthy

Counsel for the Respondents : G.P. for Higher Education

Sri K.Balagopal, Advocate.

The Court made the following :

ORAL JUDGMENT: (Per Hon'ble the Chief Justice)

As on today, we do not find any fault with the order passed by the learned single Judge vacating the earlier interim order with the observation that any allotment of staff to the Junior Colleges shall be subject to further result of the writ petition. Learned single Judge formed a *prima facie* view that there was nothing wrong or illegality on the face of the proceedings and the Government cannot pay the salaries without utilising the services of the staff. With such interim order, hardly there will be any ground to interfere at this stage and needless to add that in the event of writ petition being allowed, whatever has happened during pendency of the writ petition will have to be undone. Moreover, we are informed that the staff has since joined the new Junior colleges.

Writ Appeal is dismissed.

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DEVINDER GUPTA, C.J.

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M.NARAYANA REDDY, J

16-12-2004

bsc

To

1 The Commissioner of Intermediate Education, A.P. Hyderabad.
2 The Board of Intermediate Education, A.P., Hyderabad rep. by its Secretary.
3 The Regional Jt. Director of Intermediate Education, Rajahmundry, E.G.Dist.
4 State of A.P., rep. by its Prl. Secretary to Govt., Higher Education Dept., Secretariat, Hyderabad.
5. 2 CCs to G.P. Higher Education, High Court buildings, Hyderabad (OUT)

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